

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

Bail Appl..No. 3604 of 2007(R)

CRIME NO. 64 OF 2007 OF KARUNAGAPPALLY EXCISE RANGE

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PETITIONERS/ACCUSED NOS 2, 3 & 4

1. RAJEEV, S/O.PUSHPARAJAN, KOCHUPANAYAM
HOUSE, NILAMA DESHAM, KALLADIMUKHAM,
MANAKKAD, THIRUVANANTHAPURAM.
2. SAJIKUMAR, S/O.SATHYDEVAN,
ANNIKKAVILAKATHU VEETIL,
T.C.43/112, MANAKKAD, THIRUVANANTHAPURAM.
3. SANTHOSH KUMAR, S/O.DAMODHARAN,
VARTHATTU VEETIL, AVANAKUZHY DESHAM,
NEYATTINKARA, THIRUVANANTHAPURAM.

BY ADV. SRI.A.AHZAR

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. EXCISE INSPECTOR,
KARUNAGAPPALLY RANGE, KARUNAGAPPALLY.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 3604 of 2007

DATED: 15-06-2007

O R D E R

Petitioners who are accused Nos. 2, 3 and 4 in Crime No. 64 of 2007 of Karunagappally Excise Range for offences punishable under Sections 55 (a) and 67 (b) of the Abkari Act for allegedly having been found in possession of 1855 litres of spirit on 25-3-2007 and who were arrested on the same day, seek their enlargement on bail.

2. Eventhough the learned Public Prosecutor opposed the application, he fairly conceded that the petitioners have been in custody for more than 60 days. If so, by virtue of the proviso to sec.167(2) Cr.P.C. the petitioners are entitled to be released on bail as of right.

3. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.Karunagappally and subject to the following conditions:-

1. Petitioners shall report before the Investigating

Bail A.No.

-:2:-

Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
3. Petitioners shall make themselves available for interrogation as and when required by the investigating officer.
4. Petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE

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Bail A.No.

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